

Senate Study Bill 3151

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CO=CHAIRPERSON KREIMAN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the filing of a hospital lien.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 6176SK 81
4 rh/gg/14

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1 1 Section 1. NEW SECTION. 582.1A HEALTH PLAN INFORMATION
1 2 == PREREQUISITE TO FILING.
1 3 Every association, corporation, county, or other
1 4 institution, including a municipal corporation, maintaining a
1 5 hospital in this state and eligible to file a lien pursuant to
1 6 section 582.1, shall first take reasonable steps to determine
1 7 whether a patient is covered under a health insurance plan
1 8 provided by a private or governmental entity. If the patient
1 9 is covered by such a health insurance plan, all patient
1 10 charges shall first be submitted to the health insurance plan
1 11 prior to the perfecting of the lien. The hospital shall
1 12 comply with all contractual provisions contained in any
1 13 contract, agreement, or statutory provision governing the
1 14 relationship between the hospital and the health insurance
1 15 plan. If after submission of all of the patient care charges
1 16 to the health insurance plan it is determined that the patient
1 17 is responsible for certain charges under the plan, or after
1 18 reasonable inquiry the hospital determines the patient is not
1 19 covered by any health insurance plan, the hospital may file a
1 20 lien for any patient care charges allowed pursuant to sections
1 21 582.1 and 582.2.
1 22 Sec. 2. Section 668.5, Code 2005, is amended by adding the
1 23 following new subsection:
1 24 NEW SUBSECTION. 5. For purposes of this section,
1 25 "subrogation" includes a hospital lien pursuant to chapter
1 26 582.

EXPLANATION

1 28 This bill relates to the filing of a hospital lien and
1 29 provides that an association, corporation, county, or other
1 30 institution, including a municipal corporation, maintaining a
1 31 hospital in this state and eligible to file a lien under the
1 32 provisions of Code chapter 582, shall first take reasonable
1 33 steps to determine whether a patient is covered under a health
1 34 insurance plan provided by a private or governmental entity.
1 35 If the patient is covered by such a health insurance plan, all
2 1 patient charges shall first be submitted to the health
2 2 insurance plan prior to the perfecting of a hospital lien
2 3 pursuant to Code section 582.2. The hospital shall comply
2 4 with all contractual provisions contained in any contract,
2 5 agreement, or statutory provision governing the relationship
2 6 between the hospital and the health insurance plan. If after
2 7 submission of all of the patient care charges to the health
2 8 insurance plan it is determined that the patient is
2 9 responsible for certain charges under the plan, or after
2 10 reasonable inquiry the hospital determines the patient is not
2 11 covered by any health insurance plan, the hospital may file a
2 12 lien for any patient care charges allowed pursuant to Code
2 13 sections 582.1 and 582.2.
2 14 The bill further provides that, in regard to rights of
2 15 contribution between two or more persons liable on the same
2 16 claim pursuant to Code section 668.5, a subrogated claim
2 17 includes a hospital lien pursuant to Code chapter 582.

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